Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Advisory Action **_Before the Filing of an Appeal Brief_**	09/832,703	HOLDER ET AL.
	Examiner	**Art Unit**	
	Khanh B. Pham	2166	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>24 March 2005</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

    a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

    b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

    Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

    (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);

    (b) ☐ They raise the issue of new matter (see NOTE below);

    (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

    (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

        NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

    The status of the claim(s) is (or will be) as follows:

    Claim(s) allowed: *None*.

    Claim(s) objected to: *None*.

    Claim(s) rejected: *1 and 3-12*.

    Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____

13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because:
Claims 1, 3-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Lennon (US 2003/0208473 A1), hereinafter "Lennon".

As per claims 1, 8, 9, 12, Lennon teaches a method, a computer system having means, a program storage device and a computer program product stored on a computer usable medium, for providing access to resources (See abstract) comprising the steps of:

"defining physical and/or logical parameters required for locating a desired resource" at page 1, [0009]. (Lennon teaches: "method of browsing electronically-accessible resources using descriptions of said resources, wherein said descriptions of said resources have descriptor components, said descriptor components having attributes representative of at least two axes of access to the resources and wherein said descriptions have links to corresponding said electronically-accessible resources";)

"reading resource-specific information from a resource-specifying source specifying a structure containing said resource" at page 1, [0009]. (Lennon teaches: "said method comprising the steps of: reading said descriptions.")

"generating hierarchical control information reflecting said structure using said resource-specific information" at page 9, [0110] and Fig. 2B. (Lennon teaches: "FIG. 1B shows an overview of the method of processing a description of a resource. In this method, a serialised description 100B is parsed by a processor 102B which in turn generates a representation 104B of the description in memory. The representation 104B is an instance of the DesOM of the DDF"; Fig. 2B shows the step of generating DesOM tree from the description of the resource.)

"enabling access to the desired resource to update said resource by calling a resource access performer with at least one of said parameters and evaluating said control information" at page 1, [0009]. (Lennon teaches: "browsing said descriptions of the resources and their corresponding electronically-accessible resources via said links using said displayed items". Lennon also teaches update said resource by allow user to "add a new digital video resource" ([0436]) or "insert a new item at the desired location" ([0443])).

"automatically triggering a semantic evaluation of the contents of a resource desired to be updated when said resource is referenced in calling said resource access performer" at page 9, [0116], [0439];

Applicant argued that Lennon does not teach "automatically triggering a semantic evaluation by said system of the contents of a resource desired to be updated when said resource is referenced in calling said resource performer". The examiner respectfully submits that applicant's specification does not provide a clear definiton for the step of "automatically triggering a semantic evaluation" . At most, the specification at page 6, lines 25-26 only disclose: "The above mentioned schema may advantageously comprise an evalution (sic) of semantic relations between data stored in one or more of such resource". The examiner therfore gives the plain meaning to the words in the claims. As such, the claimed limitation requires an evaluaiton based on semantic values performed by a computer system. Lennon teaches this limitation at paragraph [0116] and [0439] . Specifically Lennon teaches at [0439] the step of "automatically select a key frame from a specific shot and then generate a series of semantic labels which provide some information about the content of the particular shot", and at [0116], Lennon teaches: "the object model provides the core semantics of the description ... This model has the advantage that the containment relationship is inherent in the model" .

2